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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,865	05/22/2001	Richard P. Coupland	013742-0018 (B72489)	1078

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Christopher J. Rourk  
Akin, Gump, Strauss, Hauer & Feld, L.L.P.  
Suite 4100  
1700 Pacific Avenue  
Dallas, TX 75201-4675

EXAMINER

GART, MATTHEW S

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 10/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/862,865

Applicant(s)

COUPLAND ET AL.

Examiner

Matthew s Gart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/22/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-3, 5-8, and 10-13 rejected under 35 U.S.C. 102(b) as being anticipated by Flake et al. U.S. Patent No. 5,832,451.**

Referring to claim 1. Flake et al. discloses a system equivalent to a system for providing reservation data comprising (at least column 1, lines 5-9):

- A reservation data system interface receiving reservation data and update data from two or more reservation systems (at least column 1, lines 11-25); and
- A master reservation system coupled to the reservation data system, the master reservation system receiving the reservation data and storing the reservation data in a database, the master reservation system receiving the update data and updating the database with the update data (at least column 2, lines 10-36); and
- A user interface system coupled to the master reservation system, the user interface system receiving reservation request data and providing updated reservation data in response to the reservation request data (at least column 3, lines 16-34).

Referring to claim 2. Flake et al. further discloses a system comprising a monitoring system coupled to the master reservation system, the monitoring system storing sequence number data associated with the update data (at least Fig. 10, i.e. Block 278).

Referring to claim 3. Flake et al. further discloses a system comprising a master reservation interface system coupled to the reservation data system interface and one of the reservation data systems, the master reservation interface system receiving the update data from the reservation data system and transmitting the update data to reservation data system interface (at least column 2, lines 10-36).

Referring to claim 5-7. The system of claim 1 wherein the master reservation system further comprises

- A rate plan system receiving rate plan modification data and updating the database with the rate plan modification data (at least column 1, line 27 to column 2, line 6),
- A property system receiving property modification data and updating the database with the property modification data (at least column 1, line 27 to column 2, line 6), and
- A distribution channel system receiving distribution channel modification data and updating the database with the distribution channel modification data (at least column 2, lines 9-36).

Referring to claim 8. Flake et al. discloses a method equivalent to a method for providing reservation data comprising:

- Storing reservation data from two or more reservation data systems in a database (at least column 1, lines 11-25);
- Receiving status update data from one or more of the reservation data systems (at least column 1, lines 11-25, i.e. "Typically, in order to determine the availability of these services and make reservations, travel agents may access..."); and
- Updating the database with the status update data (at least column 13, lines 18-28).

Referring to claim 10. Flake et al. further discloses a method wherein storing reservation data from two or more reservation data systems in a database comprises storing property data (at least column 1, line 27 to column 2, line 6).

Referring to claim 11. Flake et al. further discloses a method wherein storing reservation data from two or more reservation data systems in a database comprises storing rate plan data (at least column 1, lines 27-44).

Referring to claim 12. Flake et al. further discloses a method wherein receiving status update data from one or more of the reservation data systems comprises receiving room availability update data (at least column 3, lines 17-34).

Referring to claim 13. The method of claim 8 wherein receiving status update data from one or more of the reservation data systems comprises receiving room price update data (at least column 3, lines 17-34).

**Claims 15-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Hotel Reservations Network.**

Referring to claim 15. Hotel discloses a method equivalent to a method for providing reservation data comprising:

- Storing reservation data reflecting the current status of two or more properties from two or more reservation data systems in a database (at least page 1, paragraph 4);
- Receiving a request for reservation data for one or more of the properties (at least page 1, paragraph 4); and
- Providing reservation data reflecting the current status of the property (at least page 1, paragraph 4, i.e. “shop and query room availability”).

Referring to claim 16. Hotel further discloses a method wherein storing reservation data reflecting the current status of two or more properties from two or more reservation data systems in a database further comprises updating the database with status update data (at least page 1, paragraph 4, i.e. “shop and query room availability”).

Referring to claim 17. Hotel further discloses a method wherein updating the database with status update data further comprises storing a transaction sequence number (at least page 1, paragraph 3).

Referring to claim 18. Hotel further discloses a method wherein receiving the request for reservation data for one or more of the properties comprises receiving a request for distressed inventory (at least page 1, paragraph 2, i.e. “HRN is one of the leading Web sources of discount reservations for hotel accommodations during sold-out periods in major cities.”).

Referring to claim 19. The method of claim 15 wherein receiving the request for reservation data for one of the properties comprises receiving a request for rate plan data (at least page 2, paragraph 7, i.e. "HRN offers travelers discounts up to 65 percent off the regular rate at more than 500 properties").

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 4, 9, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flake et al. U.S. Patent No. 5,832,451, in view of Hotel Reservations Network.**

Referring to claim 4. Flake et al. discloses a system according to claim 1 as indicated supra. Flake et al. does not expressly disclose a system wherein the master reservation system further comprises a chain system receiving chain modification data and updating the database with the chain modification data. Hotel discloses a system wherein the master reservation system further comprises a chain system receiving chain modification data and updating the database with the chain modification data (at least page 4, i.e. Best Western, Hilton, Hyatt, Ramada). At the time the invention was made, it would be obvious to a person of ordinary skill in the art to modify the system of Flake et al. to include the limitations of Hotel as discussed above in order to incorporate

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all available customer reservation service information into one database, including customer preference information (Flake et al.: column 2, lines 9-13).

Referring to claim 9. Flake et al. discloses a method according to claim 8 as indicated supra. Flake et al. does not expressly discloses a method wherein storing reservation data from two or more reservation data systems in a database comprises storing hotel chain data. Hotel discloses a method wherein storing reservation data from two or more reservation data systems in a database comprises storing hotel chain data (at least page 4, i.e. Best Western, Hilton, Hyatt, Ramada). At the time the invention was made, it would be obvious to a person of ordinary skill in the art to modify the system of Flake et al. to include the limitations of Hotel as discussed above in order to incorporate all available customer reservation service information into one database, including customer preference information (Flake et al.: column 2, lines 9-13).

Referring to claim 14. Flake et al. discloses a method according to claim 8 as indicated supra. Flake et al. does not expressly disclose receiving status update data from one or more of the reservation data systems comprises receiving distressed inventory data. Hotel discloses receiving status update data from one or more of the reservation data systems comprises receiving distressed inventory data (at least page 1, paragraph 2, i.e. "HRN is one of the leading Web sources of discount reservations for hotel accommodations during sold-out periods in major cities."). At the time the invention was made, it would be obvious to a person of ordinary skill in the art to modify the system of Flake et al. to include the limitations of Hotel as discussed above in order



to incorporate all available customer reservation service information into one database, including customer preference information (Flake et al.: column 2, lines 9-13).

**Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Hotel Reservations Network in view of Flake et al. U.S. Patent No. 5,832,451.**

Referring to claim 20. Hotel discloses a method according to claim 15 as indicated supra. Hotel does not expressly disclose a method wherein receiving the request for reservation data for one of the properties comprises receiving a request for negotiated rate data. Flake et al. discloses a method wherein receiving the request for reservation data for one of the properties comprises receiving a request for negotiated rate data (at least column 3, line 54 to column 4, line 3, i.e. "negotiated discount rate information"). At the time the invention was made, it would be obvious to a person of ordinary skill in the art to modify the system of Hotel to include the limitations of Flake et al. as discussed above in order to become one of the leading Web sources of discount reservations for hotel accommodations during sold-out periods in major cities (Hotel: paragraph 3).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Feldman, U.S. Patent No. 5,864,818, Jan. 26, 1999; discloses an automated hotel reservation processing method and system.

Hunt et al., U.S. Patent No. 5,842,176, Nov. 24, 1998; discloses a method and apparatus for interacting with a computer reservation system.

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Jafri et al., U.S. Patent No. 5,832,454, Nov. 3, 1999; discloses a reservation software employing multiple virtual agents.

Kerr et al., U.S. Patent No. 5,404,291, Apr. 4, 1995; discloses an inventory control process for reservation systems.

Lynch et al., U.S. Patent No. 5,839,114, Nov. 17, 1998; discloses an automated system for selecting an initial computer reservation system.

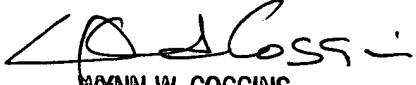
Any inquiry concerning this communication should be directed to Matthew Gart whose telephone number is 703-305-5355. This examiner can normally be reached Monday-Friday, 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MSG

September 27, 2002

  
WYNN W. COGGINS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

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